

## REMARKS

Claims 1, 8, 9, 19, 21 and 22 have been amended. No claims have been added or canceled are added by way of this response. Thus, claims 1-15 and 18-22 are currently pending and presented for examination. Applicant respectfully requests reconsideration and allowance of the pending claims view of the foregoing amendments and the following remarks.

### Response to Rejections Under Section 103:

Claims 1-3, 8-16 and 19-20 stand rejected under 35 U.S.C § 103(a) as being obvious over Ferry et al. (USPN 5,805,677) in view of Tidwell et al (USPN 6,535,590). Claims 4-6 and 17 stand rejected under 35 U.S.C § 103(a), the Examiner contending that this claim is obvious over Ferry in view of Tidwell and in view of Goldstein (USPN 5,410,326). Claims 18 and 21-22 stand rejected under 35 U.S.C § 103(a), the Examiner contending that this claim is obvious over Ferry in view of Tidwell and in view of Baker (USPN 5,948,080). Claims 7 stands rejected under 35 U.S.C § 103(a), the Examiner contending that this claim is obvious over Ferry in view of Tidwell, Baker and Goldstein.

The specification shows that administration is “relating to programming or management of the functions, settings, data etc.” on the communication device (see e.g., page 4 lines 9-17). Thus, Applicant has amended claim 1 to recite:

the administration mode allows the communication device to be administered

Applicant's Claim 1 further recites:

the communication device automatically searches for an active entertainment terminal in response to an activation of an administration mode

The Examiner contends that this limitation is taught by Ferry. However, Ferry teaches sending the call to the television in response to receiving a call. In the Advisory Action, the Examiner states:

“in response to an activation mode” is a broad term that can be interpreted as the activation of an administration mode done by the telephone company or a user to automatically interact with the television or forward communication with the TV set, etc. The activation can also be interpreted as one taking place at the time a telephone call, of a certain, type is detected, etc

The following is a quotation from MPEP 2111.

During patent examination, the pending claims must be "given their broadest reasonable interpretation consistent with the specification." . . . The broadest reasonable interpretation of the claims must also be consistent with the interpretation that those skilled in the art would reach.

As known by those skilled in the art, a call refers to a telephone call for voice or data transmission between the communication device and a further communication device. Applicant respectfully submits that Tidwell does not teach or suggest that the communication device automatically searches for an active entertainment terminal in response to an activation of an administration mode. The following is a quotation from MPEP 2143.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

Whether the call could cause the communication device to automatically search for an active entertainment terminal in response to an activation of an administration mode or whether the telephone company could cause the communication device to automatically search for an active entertainment terminal in response to an activation of an administration mode is not sufficient to meet a prima facie case of obviousness. The prior art must teach or suggest searching for an active entertainment terminal in response to an activation of an administration mode of the communication device.

Furthermore, Claim 1 recites:

wherein the activation is initiated by a user entering an administration code via the communication device

Applicant respectfully submits that Ferry does not teach or suggest that an activation is initiated let alone by a user entering an administration code via the communication device. Furthermore, Applicant respectfully submit that Tidwell, teaches (see e.g., col. 6 lines 28-39) that the activation is initiated by a two step process of

1. a user selecting a button on the remote control
2. selecting an option for administration provided on a main page that is displayed on the television screen in response to the user selecting the button on the remote control

The Examiner has stated that ‘the examiner could not find a definition of “configuration of device”’. Applicant respectfully submits that configuration is a form of administration. However, in order to further prosecution, Applicant has amended configuration to administration. Administration is commonly used in the art to describe a change of setting (see e.g., page 4 lines 9-17).

The Examiner states that ‘synchronization of devices corresponds to “configuration of devices”’. Furthermore, In the Advisory Action, the Examiner states that

the applicant argues “Ferry does not teach a synchronization of the devices”. The examiner would like to explain where the specifications are not defining what this synchronization refers to; therefore the examiner is given a broad interpretation of the term.

Ferry recites (col. 3 lines 53-57):

synchronizing device for synchronizing the caller signal with a video signal to form a synchronized caller signal

Furthermore, Ferry recites (col. 12 lines 10-13):

Accordingly, video format caller ID information, output by character generator 40 at terminal 41c, is synchronized with input composite video signal source 18 which is input at transfer device input 12.

Thus, Applicant respectfully submits that Ferry defines a synchronization device that synchronizes signals. Synchronization pertains to time. Thus the signals are aligned based on a time. A synchronization of signals cannot reasonably be considered as configuring/administering a device.

In view of the foregoing remarks Applicant respectfully submits independent claim 1 is patentable. In addition, for at least the reasons above, independent claim 21 is patentable. Furthermore, claims 2-15 and 18-20 that depend on claim 1 and claim 22 which depends on claim 21 are patentable at least based on their dependency as well as based on their own merits.

Conclusion

For the foregoing reasons, it is respectfully submitted that the objections and rejections set forth in the outstanding Office Action are inapplicable to the present claims. All correspondence should continue to be directed to our below-listed address. Accordingly, Applicant respectfully requests that the Examiner reconsider the objections and rejections and timely pass the application to allowance. Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including fees for additional claims and terminal disclaimer fee, or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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